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WASHINGTON DC 20007

In re Application of	:	NOTIFICATION
STARK et al.	:	
Application No.: 10/580,129	:	
PCT No.: PCT/EP2004/010970	:	
Int. Filing Date: 01 October 2004	:	
Priority Date: 19 November 2003	:	
Attorney Docket No.: 026032-5027	:	
For: VEHICLE SEAT	:	

This notification is in response to applicants' submission filed 12 April 2007.

BACKGROUND

On 01 October 2004, applicant filed international application PCT/EP2004/010970, which designated the United States and claimed a priority date of 19 November 2003. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 02 June 2005. The thirty-month period for paying the basic national fee in the United States expired at midnight on 19 May 2006.

On 19 May 2006, applicants filed a transmittal letter for entry in to the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee, a translation of the international application into English, and a declaration of inventors.

On 12 February 2007, a Notification was mailed indicating that the declaration filed 19 May 2006 did not list the inventorship set forth in the international application because the declaration identifies three inventors while the international application identifies only two inventors. The Notification also noted that a Form PCT/IB/306 (NOTIFICATION OF THE RECORDING OF A CHANGE) from the International Bureau indicating that an inventor has been added did not appear in the file.

On 12 April 2007, applicants filed the instant submission which included a Form PCT/IB/306 for the additional inventor listed in the declaration filed 19 May 2006.

DISCUSSION

37 CFR 1.41(a)(4) states:

The inventorship of an international application entering the national stage under 35 U.S.C. 371 is that inventorship set forth in the international application, which includes any change effected under PCT Rule 92bis. See § 1.497(d) and (f) for filing an oath or declaration naming an inventive entity different from the inventive entity named in the international application, or if a change to the inventive entity has been effected under PCT Rule 92bis subsequent to the execution of any declaration filed under PCT Rule 4.17(iv) (§ 1.48(f)(1) does not apply to an international application entering the national stage under 35 U.S.C. 371).

The copy of the PCT/IB/306 Form submitted 12 April 2007 establishes that a change to the inventive entity has been effected under PCT Rule 92bis. Thus, the declaration does list the proper inventive entity. The declaration filed 19 May 2006 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.

/Daniel Stemmer/

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